

**EXHIBIT O –**

**Plaintiff's 30(b)(6) Notice and Rider to BJH**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

JEFFERY A. WEISMAN, and	)	
STRATEGIC BIOMEDICAL, INC.,	)	No. 4:19-cv-75-JAR
	)	
Plaintiffs,	)	The Honorable John A. Ross
	)	
v.	)	
	)	
BARNES JEWISH HOSPITAL,	)	
BJC HEALTHCARE,	)	
WASHINGTON UNIVERSITY,	)	
ALEX EVERS, RICHARD BENZINGER,	)	
And THOMAS COX,	)	
	)	
Defendants.	)	

**SECOND AMENDED NOTICE TO TAKE DEPOSITION OF CORPORATE  
REPRESENTATIVE(S) OF BARNES JEWISH HOSPITAL**

To: Michael Nolan, Blake Armstrong, HUSCH BLACKWELL, LLP, 190 Carondelet Plaza,  
Suite 600, St. Louis, MO 63105, [Blake.Armstrong@huschblackwell.com](mailto:Blake.Armstrong@huschblackwell.com)  
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Brentwood Blvd., Suite 800, St. Louis, MO 63105 [ksullivan@shandselbert.com](mailto:ksullivan@shandselbert.com)

Pursuant to conferences conducted between the parties **YOU ARE HEREBY NOTIFIED THAT** pursuant to the provisions of Federal Rule of Civil Procedure 30(b)(6), Plaintiffs, by and through counsel, requests Defendant to designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on its behalf concerning the following matters set forth below before a Notary Public on **December 29, 2022, at 10:00 a.m.**, or another date if agreed to by the parties, via ZOOM by Pohlman USA Court Reporters, at ZOOM specified links to be provided, upon interrogatories to be propounded to the said witnesses orally:

**Definitions:**

“Counterclaim” refers to the Counterclaim you filed in this litigation, *Weisman, et al. v Barnes Jewish-Hospital, et al.*, Case No.: 4: 19-CV-00075-JAR

“Defendant,” “you,” or “your” shall mean Barnes Jewish Hospital its employees, owners, agents, and representatives.

“Dr. Weisman” shall refer to Dr. Jeffery Weisman, the plaintiff in the Lawsuit.

“Lawsuit” refers to the Second Amended Complaint filed and pending in this litigation, *Weisman, et al. v Barnes Jewish-Hospital, et al.*, Case No.: 4: 19-CV-00075-JAR

“SBI” shall refer to Strategic Biomedical, Inc., now operating as Mallinckrodt Institute of Radiology, its employees, owners, agents, and representatives.

**TOPICS:**

- (1) Factual bases of Your claim for compensatory damages on Your Counterclaim.
- (2) Communications between you and the Accreditation Council for Graduate Medical Education (“ACGME”) relating to Dr. Weisman.
- (3) Communications between You and any other hospital or medical center, including, but not limited to, the Hampton VA Medical Center, the Federal Bureau of Prisons, Concentra Occupation Health, other Department of Veteran’s Affairs Hospitals and/or Duke University Medical Center relating to Dr. Weisman’s education and/or credentials.
- (4) Communications between You and any medical school or residency training program, including but not limited to members of program leadership (whether current or former) and any other agent or employee of any applicable school or training program, relating to or concerning Dr. Weisman.
- (5) Communications between You and any state licensing board, physicians health program (“PHP”), academic or residency training credentialing body relating to or concerning Dr. Weisman.
- (6) Summative Evaluations You created concerning Dr. Weisman.
- (7) Communications and/or agreements between you and the St. Louis College of Pharmacy (“STLCOP”) relating to Dr. Weisman and/or SBI and/or the 3-D Printing Lab at the Mallinckrodt Institute of Radiology.
- (8) Grants and fundraising monies received by You in connection with SBI and/or The 3-D Printing Lab at Mallinckrodt Institute of Radiology.
- (9) The ACGME portal for entering data on with Dr. Weisman’s performance, including milestone evaluations.
- (10) The Consortium relationship between you, Barnes-Jewish Hospital and/or BJC Healthcare.
- (11) The “New Innovations” and “My Evaluations” platforms used by You and your

agents to evaluate Dr. Weisman's performance as a resident physician.

**YOU ARE HEREBY FURTHER NOTIFIED** that pursuant to the Federal Rules of Civil Procedure that you are required by this Notice to have present at the dates and times stated each listed deponent, along with any documents that the deponent has reviewed in preparing for deposition other than material covered by the attorney client privilege and any document in Your production that the witness will rely on.

MOOR LAW OFFICE, P.C.

/s/ Edward R. Moor

Edward R. Moor  
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**CERTIFICATE OF SERVICE BY ELECTRONIC MEANS**

I, Edward R. Moor, certify that on January 12, 2023 I reserved this Notice with one correction which was originally served December 14, 2022, by emailing a copy to each person listed above.

/s/ Edward R. Moor